

REMARKS

Summary

Claims 37-45, 47-54 and 56-66 are currently pending in the present application with Claims 37, 65 and 66 being independent claims and Claims 38-45, 47-54 and 56-64 being dependent claims. Claims 37-41, 45, 47, 49, 54, 56, 58 and 65-66 have been amended without adding new matter. Applicants respectfully request reconsideration of the currently pending claims in view of the amendments above and the remarks below.

Rejections Under 35 U.S.C. § 103

Claims 37-45, 47-54, and 56-66 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kato et al. (U.S. Patent No. 6,016,362) (hereinafter, "Kato et al."), Fujita et al. (U.S. Patent No. 6,321,024) (hereinafter, "Fujita et al."), and further in view of Cazier et al. (U.S. Patent No. 7,317,479) (hereinafter, "Cazier et al.").

As acknowledged in the Office Action, the Kato et al. and Fujita et al. references do not teach or suggest "wherein positions and/or sizes of the trimming areas of each image of which order is between the first image and the second image is different from position and/or sizes of the trimming areas of the first image and the second image determined by the trimming area determination unit, the trimming area of each image of which order is between the first image and the second image being a part of an entire area in which each image is recorded." The Office Action alleges that the Cazier et al. reference teaches these features.

The Cazier et al. patent was filed on November 8, 2003 and issued on Jan. 8, 2008. The present application was filed in the USPTO on September 25, 2003 and claims priority to Japanese patent application 2002-284240 filed on September 27, 2002. Accordingly, the Cazier et al. reference is not prior art as to the present application. Applicants thank the Examiner for his time and courtesy in discussing the fact that the Cazier et al. reference is not prior art in a telephone

conversation with Applicants' representative, Marlene Klein, on December 2, 2009.

As described above, the rejections under 35 U.S.C. § 103(a) are inappropriate and should be withdrawn.

CONCLUSION

Applicants respectfully submit that all of the claims pending in the application meet the requirements for patentability and respectfully request that the Examiner indicate the allowance of such claims.

Any amendments to the claims which have been made in this response which have not been specifically noted to overcome a rejection based upon prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

If any additional fee is required, please charge Deposit Account Number 502456.

Should the Examiner have any questions, the Examiner may contact Applicants' representative at the telephone number below.

Respectfully submitted,

December 4, 2009

/Marlene Klein/

Date

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